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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,079	09/04/2003	Jun Ikeda	CFA0003US	8352

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EXAMINER
DICKER, DENNIS T

ART UNIT	PAPER NUMBER
2609	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/656,079	IKEDA, JUN	
	Examiner	Art Unit	
	Dennis Dicker	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *9/4/2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 15 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim is directed to a computer program that is not limited to being embodied on a tangible computer readable medium.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3,5-10,12-18,20,21, 24 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsumoto (6,181,434).

As pertaining to Claim 1, Matsumoto teaches a data processing apparatus for communicating with and information processing apparatus through a network [Figure 1], where the data processing apparatus comprises a power source unit for supplying power required to form images and an examining means for examining a process of the information processing apparatus [Column 10 Lines 32-40] and a power control means

for controlling the state of supplying power of the power source unit to each device based on the result of the process examination[Column 13 Lines 54-60].

As pertaining to Claim 2 and 3, Matsumoto teaches a data processing apparatus wherein the examining means examines the process in accordance with user-defined parameters in which the parameters include whether the process is active [Column 2 Lines 21-33].

As pertaining to Claim 5, Matsumoto teaches a data processing apparatus wherein the use-defined parameters are set on a per examination processing apparatus basis [Figure 7].

As pertaining to Claim 6, Matsumoto teaches a data processing apparatus wherein the power control means limits the power supply state to each device from the power supply unit to shift to a sleep mode based on the results of examination of a plurality of processes provided by the examination means [Column 10 Lines 12-23].

As pertaining to Claim 7, Matsumoto teaches a data processing apparatus wherein the data processing apparatus comprises an image forming device [Figure 1].

As pertaining to Claim 8, Matsumoto teaches a power control method for a data processing apparatus including a power source for supplying power required to form images, for communicating with an information processing apparatus through a network [Figure 1], where the power control method comprises; examining a processes of the information processing apparatus [Column 10 Lines 32-40] and controlling the state of supplying power of the power source unit to each device based on the result of the process examination [Column 13 Lines 54-60].

As pertaining to Claim 9 and 10, Matsumoto teaches a power control method where in the examining step includes examining the process in accordance with user-defined parameters in which the parameters include whether the process is active [Column 2 Lines 21-33].

As pertaining to Claim 12, Matsumoto teaches a power control method wherein the user-defined parameters are set on a per examination processing apparatus basis [Figure 7].

As pertaining to claim 13, Matsumoto teaches a power control method wherein the power control step comprises limiting the power supply state to each device from the power supply unit to shift to a sleep mode based on the results of examination of a plurality of processes provided in the examining step [Column 10 Lines 12-23].

As pertaining to Claim 14, Matsumoto teaches a power control method wherein the data processing apparatus comprises an image forming device [Figure 1].

As pertaining to claim 15 and 16, Matsumoto teaches a storage medium storing, in a computer readable form, a computer program of a data processing apparatus including, a power source unit for supplying power required to form images for communicating with and information processing apparatus through a network, where the computer program comprises a program code for executing the steps of examining the process of the information processing apparatus [Figure 8] and a program code for controlling the state of supplying power of the power source unit to each device based on the result of the process examination [Column 19 Lines 65 to Column 20 Lines 19].

As pertaining to Claim 17, Matsumoto teaches a printer coupled to at least one host computer [Figure 1], a method of using the host to transition the printer between different power states, where the method comprises receiving information about an active process that is currently running on the host computer [Column 2 Lines 21-33] and transitioning the printer system between an active power state and a power saving state based on the information received about the active process [Column 10 Lines 12-23].

As pertaining to Claim 18, Matsumoto teaches a method where information indicates that the active process is suspended [Column 10 Lines 12-23] and [Figure 2A and 2B].

As pertaining to Claim 20, Matsumoto teaches a method where the active process is suspended; the printer is transitioned from the active power state to the power saving state [Column 10 Lines 12-23].

As pertaining to Claim 21, Matsumoto teaches a method where when the active process remains active the printer is transitioned from the power saving state to the active power state. [Column 10 Lines 12-23].

As pertaining to Claim 24 and 25, Matsumoto teaches a network having a printer coupled to a first host computer and a second host computer [Figure 1], a method of using the host computers to transition the printer between different power states and a method of receiving information about a first process running on the first host computer, receiving information about a second process running on the second host computer and transition the printer between an active power state and a power saving state based on

the information received about the first process and the second process and transitioning to the power saving state when the information received shows that the first and second process are suspended [Column 10 Lines 12-23] and [Figures 2A and 2B].

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 4, 11,19, 22, 23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto in view of Qiao (2002/0097423).

With respect to claim 4, Matsumoto teaches a data processing apparatus for communicating with an information processing apparatus through a network [Figure 1], where the data processing apparatus comprises a power source unit for supplying power required to form images and an examining means for examining a process of the information processing apparatus [Column 10 Lines 32-40] and a power control means for controlling the state of supplying power of the power source unit to each device based on the result of the process examination[Column 13 Lines 54-60].

Matsumoto does not teach a data processing apparatus wherein the examining means examines a load average of the process and wherein the power control means controls the power supply state based on the results of the process examination of the load average.

the information received about the first process and the second process and transitioning to the power saving state when the information received shows that the first and second process are suspended [Column 10 Lines 12-23] and [Figures 2A and 2B].

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 4, 8, 11,19, 22, 23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto in view of Qiao (2002/0097423).

With respect to claim 4, Matsumoto teaches a data processing apparatus for communicating with an information processing apparatus through a network [Figure 1], where the data processing apparatus comprises a power source unit for supplying power required to form images and an examining means for examining a process of the information processing apparatus [Column 10 Lines 32-40] and a power control means for controlling the state of supplying power of the power source unit to each device based on the result of the process examination[Column 13 Lines 54-60].

Matsumoto does not teach a data processing apparatus wherein the examining means examines a load average of the process and wherein the power control means controls the power supply state based on the results of the process examination of the load average.

Qiao teaches a data processing apparatus wherein the examining means examines a load average of the process and wherein the power control means controls the power supply state based on the results of the process examination of the load average [See Abstract].

Therefore, it would have been obvious to someone of ordinary skill in the art at the time of invention to find the average of the processes on a load as a means for controlling the power supply state where the system will be more efficient than taking one processes at a time.

With respect to claim 11, Matsumoto teaches a power control method for a data processing apparatus including a power source for supplying power required to form images, for communicating with an information processing apparatus through a network [Figure 1], where the power control method comprises; examining a processes of the information processing apparatus [Column 10 Lines 32-40] and controlling the state of supplying power of the power source unit to each device based on the result of the process examination [Column 13 Lines 54-60].

Matsumoto does not teach a power control method wherein the examining step examines a load average of the process and wherein the power control step controls the power supply state based on the results of the process examination of the load average.

Qiao teaches a data processing apparatus wherein the examining means examines a load average of the process and wherein the power control means controls

the power supply state based on the results of the process examination of the load average [See Abstract].

Therefore, it would have been obvious to someone of ordinary skill in the art at the time of invention to use find the average of the processes on a load as a means for controlling the power supply state where the system will be more efficient than taking one processes at a time.

With respect to claim 19, Matsumoto teaches a printer coupled to at least one host computer [Figure 1], a method of using the host to transition the printer between different power states, where the method comprises receiving information about an active process that is currently running on the host computer [Column 2 Lines 21-33] and transitioning the printer system between an active power state and a power saving state based on the information received about the active process [Column 10 Lines 12-23].

Matsumoto does not teach a method where the information indicates that the active process is consuming power below or above the threshold.

Qiao teaches a method where the information indicates that the active process is consuming power below or above the threshold amount [Para 0045] and [Figure 7].

Therefore, it would have been obvious to someone of ordinary skill in the art at the time of invention to have information indicate how much power is consumed below or above the threshold value in order for the power save mode to operate.

With respect to Claim 22 and 23, Matsumoto teaches a printer coupled to at least one host computer [Figure 1], a method of using the host to transition the printer

between different power states, where the method comprises receiving information about an active process that is currently running on the host computer [Column 2 Lines 21-33] and transitioning the printer system between an active power state and a power saving state based on the information received about the active process [Column 10 Lines 12-23].

Matsumoto does not teach a method where when the active process is consuming power below the threshold amount, the printed is transitioned from the active power state to the power saving state or when the active process is consuming power at or above the threshold amount, the printer is transition from the power saving state to the active power state.

Qiao teaches a method where when the active process is consuming power below the threshold amount, the printed is transitioned from the active power state to the power saving state or when the active process is consuming power at or above the threshold amount, the printer is transition from the power saving state to the active power state [Figure 12].

Therefore, it would have been obvious to someone of ordinary skill in the art at the time of invention to have a threshold value set to determine a set time on whether or not the printer should go into power saving mode as this is this most efficient way when there are multiple processes on a network.

With respect to Claim 26, Matsumoto teaches a network having a printer coupled to a first host computer and a second host computer [Figure 1], a method of using the host computers to transition the printer between different power states and a method of

receiving information about a first process running on the first host computer, receiving information about a second process running on the second host computer and transition the printer between an active power state and a power saving state based on the information received about the first process and the second process.

Matsumoto does not teach a method wherein the printer is transitioned from the active power state to the power saving state when the information received show that the first process and the second process are consuming power below a threshold amount.

Qiao teaches a method wherein the printer is transitioned from the active power state to the power saving state when the information received show that the first process and the second process are consuming power below a threshold amount [Figure 12].

Therefore, it would have been obvious to someone of ordinary skill in the art at the time of invention to have a threshold value set to determine a time on whether or not the printer should go into power saving mode as this is this most efficient way when there are multiple processes on a network.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. No information Disclosure Statement (IDS)/PTO-1449 was received as of this first office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Dicker whose telephone number is (571) 270-3140. The examiner can normally be reached on Monday - Friday 7:30 A.M. to 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Eisen can be reached on (571) 272-7687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DD
6/14/2007

DENNIS-DOON CHOW
PRIMARY EXAMINER